

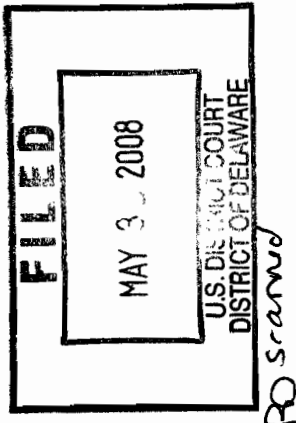
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JOSHUA STEPHENSON, :  
 :  
 Petitioner, : 08-210  
 :  
 v. : Civil Action No. ~~08-37~~-JJF  
 :  
 PERRY PHELPS, :  
 Warden, and ATTORNEY :  
 GENERAL OF THE STATE :  
 OF DELAWARE, :  
 :  
 Respondents. :

**AEDPA ELECTION FORM**

1. \_\_\_\_\_ I agree that my pending complaint is a petition for federal habeas relief filed pursuant to 28 U.S.C. § 2254. I am filing a proper form for federal habeas relief pursuant to 28 U.S.C. § 2254 along with this election form, and I wish the court to rule on the grounds asserted in my form § 2254 petition. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of for the Third Circuit; therefore, this petition will be my one opportunity to seek federal habeas corpus relief.

2. \_\_\_\_\_ I agree that my pending complaint is a petition for federal habeas relief filed pursuant to 28 U.S.C. § 2254. However, I wish to amend my § 2254 petition to include all the grounds I have. I will complete and file a proper form § 2254 petition with all my grounds and amendments within thirty (30) days. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States




Court of Appeals for the Third Circuit;  
therefore, this amended all-inclusive  
petition will be my one opportunity to seek  
federal habeas corpus  
relief.

3.   
(46 I, 48 B)

I agree that my pending complaint is a  
petition for federal habeas relief filed  
pursuant to 28 U.S.C. § 2254. However, I  
wish to withdraw my § 2254 petition  
without prejudice to file one all-inclusive  
petition in the future; that is, one that  
raises all the grounds I have for  
federal habeas corpus relief. I realize this  
all-inclusive petition must be filed within  
the one-year period as defined by 28 U.S.C. §  
2244(d). See Swartz v. Meyers,  
204 F.3d 417 (3d Cir. 2000).

4. \_\_\_\_\_

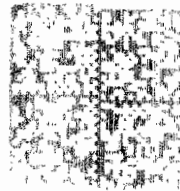
I do not agree with the court's re-  
characterization of my complaint as a § 2254  
petition because I am not seeking  
federal habeas corpus relief. I am instead  
seeking relief under \_\_\_\_\_.

  
\_\_\_\_\_  
Petitioner

Application for  
Newcastle De 1972  
J.E.H.

Office of the Clerk  
United States District Court  
844 N King Street, Lehigh IS  
Wilmington, Delaware 19801-3530

U.S.M.  
3530  
P.O. Box  
X



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